

Federal Communications Commission

WT Docket No. 03–187, FCC 06–164

To who it may concern,

This letter is in response to the Federal Communications Commission's request for comments regarding bird collisions via communication towers. The Federal Communications Commission (FCC) seems to be in doubt (or at least is seeking more positive confirmation) as to whether there is substantial scientific evidence to support the notion that millions of birds per year are being killed on communication towers (*Wireless Estimator*). After conducting some investigative research, I have found much proof of bird mortality caused by communication towers (*Crawford, Engstrom*)(*Audubon*)(*US Fish and Wildlife Service*). But when weighing out scientific fact and the legitimacy of study, it is also wise to consider the importance of reason. Reason based on fact is as legitimate as fact itself. After all, didn't we reason that the earth was round well before we saw a photo of this planet from far above? Weren't models and reason sufficient evidence to support this conclusion? Similarly, we may conclude that currently there is high bird mortality caused by communication towers based on past findings, modeling, and reason (*Crawford, Engstrom*)(*US Fish and Wildlife Service*).

It is possible that in recent years, there have been fewer dead birds reported under some specific towers, but we can reason that this may be due to the fact that there are more towers on the landscape, (*US Fish and Wildlife Service*) thus bird

collisions are divided and spread out more evenly across a given geographical area. It is also true that the population of many neo tropical birds are in decline, (*Audubon*) thus fewer birds migrating would result in fewer birds dying as a result of collisions with towers. It seems ironic, that part of the reason these neo tropical birds are in decline, is due to the existence of communication towers and that their decline would support arguments of non action from the FCC. Suppose over the next 20 years, there is a continued reduction in the population of neo tropical migrants in North America, thus many fewer birds killed on towers – does this negate scientific proof claiming that towers are killing substantial numbers of birds? I suppose if we eliminate the birds all together, the towers will not be a problem - and perhaps this is where we are headed. On the flip side of this analogy, it seems obvious to me, that fewer towers result in fewer bird deaths, and perhaps this is the first step toward addressing this problem. At the very least, I would recommend that no new towers be built. After all, where will this building of towers end? Perhaps when we can swing from tower to tower on a 100 foot rope we will have enough towers. Perhaps when there are no more neo tropical birds we will have enough towers.

I urge you to consider the fact that from the view point of the birds, this is a grave - life and death matter, but from the view point of the human being it is often a matter of poor reception, limited profits, or lessened entertainment opportunities.

Research shows that placement, height, (*Crawford, Engstrom*) construction, (*Shire, Brown and Winegrad*) and tower lighting, (*Cochran, Graber*) are all important factors in bird/tower collisions. Shorter towers are safer for birds, (*Crawford, Engstrom*) medium intensity white strobe lighting is safer for birds than constant or

glowing lights, towers without guy wires are safer than those with guy wires, (*Shire, Brown and Winegrad*) and towers placed outside migratory paths of birds are safer for birds than those placed directly in their routes. It is also good reasoning that lower towers placed high on a bluff, mountain, building, or peak can be as deadly as those which are constructed higher but placed on lower ground. Thus, I recommend that the aforementioned factors of placement, height, construction, and lighting be considered in the FCC rules.

In addition to the above recommendations, I urge the FCC to mandate a retrofit of existing towers with safer strobe lighting. I would also recommend the replacement of older designed towers using guy wires, with those that are free standing. Aside from my recommendations, I wholeheartedly support the recent recommendations brought forth by the *U.S. Fish and Wildlife Service*, published at:  
[www.fws.gov/migratorybirds/issues/towers/comtow.html](http://www.fws.gov/migratorybirds/issues/towers/comtow.html)

I understand the FCC has a mission or responsibility to supply the public with safe, effective communications, but it must also realize its responsibility to the environment it is a part of. The Migratory Bird Treaty Act does not exclude the FCC. If the FCC kills only one bird through negligence - that mindset of knowing how to prevent bird deaths, but refusing to do so due to cost or effort restraints - It is as guilty as anyone killing birds with full intent.

I once owned a farm with a large barn. Sometimes at night I would go to the barn and turn on the lights. The birds that were roosting in the barn would take to flight - swooping and maneuvering back and forth but always very reluctant to leave the safety of the lighted space and forge off into darkness. This is the same situation which is

occurring in the presence of a lighted communication tower on a foggy or cloudy night. The birds fly round and round - not wanting to leave the lighted area. I ask the FCC to use this model when considering rule making. Are red strobes as safe as white strobes? My reasoning tells me that they probably are, but we could easily set up a model (in a barn for instance) to test the results.

I think the FCC has an obligation to the birds, humanity, and the earth to act and operate with safety in mind. Thus, I think the FCC should be a significant source of funding for research pertaining to this topic - it is not up to the private sector to fund this type of research. Whether the FCC considers itself legally liable for bird deaths or not, may I suggest that this is a moral and ethical issue based more on responsibility and altruism than legal obligation. After all, isn't this what the USA is all about ?

In a similar situation, the energy industry also claims there is insufficient scientific proof for global climate change and thus is reluctant to change its policy for these reasons. I suppose when our biosphere has collapsed beyond the point of return, (which some studies show has already happened) the energy industry will take steps to modify its missions and goals.

I urge the FCC to consider the important factor of reason and responsibility when determining rules for safer communication towers.

Thank you for your time,

Kenneth Damro  
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## References:

Robert L. Crawford, R. Todd Engstrom

*Characteristics of Avian Mortality at a North Florida Television Tower: A 29-Year Study*

Tall Timbers Research Station, 13093 Henry Beadel Road, Tallahassee. Florida  
32312-0918 USA

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Communication Towers: A Deadly Hazard To Birds; *American Bird Conservancy*, June, 2000.

Wendy K. Weisenel; Battered By Airwaves; *Wisconsin Department of Natural Resources*; October, 2002.

United States Department of Interior

Fish and Wildlife Service

Washington, DC 20240

September 14, 2000

Cochran, William W. and Richard R. Graber. 1958. Attraction of nocturnal migrants by lights on a television tower. *Wilson Bulletin*, 70:378-380.

Audubon Society

[http://www.audubon.org/campaign/population\\_habitat/sprawl.html](http://www.audubon.org/campaign/population_habitat/sprawl.html)

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Before the Federal Communications Commission  
Washington, DC 20554

Wireless Estimator

*In the Matter of Effects of Communications Towers on Migratory Birds*

WT Docket No 03-187

[http://www.wirelessestimator.com/t\\_content.cfm?pagename=Avian%20Mortality](http://www.wirelessestimator.com/t_content.cfm?pagename=Avian%20Mortality)  
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